



SPECIAL COMMON COUNCIL MEETING

APRIL 1, 2013

6 P.M.

Special Meeting

The Special meeting of the Common Council of the City of Middletown was held in the Council Chamber of the Municipal Building on Monday, April 1, 2013 at 6 p.m.

Present

Deputy Mayor Robert P. Santangelo and Council Members Thomas J. Serra, Ronald P. Klattenberg, Mary A. Bartolotta, Gerald E. Daley, Hope Kasper, Grady L. Faulkner, Jr., Philip J. Pessina, Joseph E. Bibisi, Linda Salafia, Todd G. Berch, and Deborah Kleckowski; Sergeant-at-arms Police Chief William McKenna, and Common Council Clerk Marie O. Norwood.

Absent

Mayor Daniel T. Drew and Corporation Counsel Daniel B. Ryan.

Also Present

Public Works Director William Russo, Finance Director Carl Erlacher, Director of IT William Oliver, Planning, Conservation, and Development Director William Warner, Water and Sewer Director Guy Russo, Parking Director Geen Thazhampallath, City Attorney Brig Smith, Deputy City Attorney Kori Wisneski, Acting Personnel Director Kathy Morey, Chief of Police William McKenna, Recreation Supervisor Deb Stanley, Tax Assessor Damon Braasch, Fire Chief Gary Ouellette, Director of Communications Wayne Bartolotta, Director of Human Relations Faith Jackson, Director of Health Joseph Havlicek, MD, Arts Coordinator Stephan Allison, City and Town Clerk Sandra Driska, Emergency Management Director Bruce Driska, Russell Library Director Arthur Meyers, Joseph Samolis Administrative Aide to the Mayor and 3 members of the public.

Meeting Called to Order

The Acting Chair, Deputy Mayor Robert P. Santangelo calls the meeting to order at 6:03 p.m. He asks Guy Russo, Director of Water and Sewer to lead the public in the Pledge of Allegiance.

Call of Meeting Read

The Call of the meeting is read and accepted. The Acting Chair declares this call a legal call and the meeting a legal meeting.

Workshop Opens

The Acting Chair opens Questions to Directors workshop at 6:03 p.m.

Councilman Serra asks to address questions to Geen Thazhampallath, Parking Director. Mr. Thazhampallath comes forward. Councilman Serra asks to explain the item on the agenda relative to the cars being towed. Mr. Thazhampallath states it is a two-part piece. Folks were taking snow and putting it into public roadways and they are putting in a fine for \$25. During parking bans, they charge \$25 and towing fees for a parking ban violation. We try to make it amicable and they try to find the people. They don't just lay out tickets. They are changing the fee from \$25 to \$250. Councilman Serra states he understands the towing of cars, but is there a plan for houses with many apartments. Mr. Thazhampallath states they opened up the lots and they got snowbound. It was germinated from Public Works and the Mayor's Office and he did give feedback and the structure is fine but the fine may affect the poor. Many of the people who are impacted a \$25 fine is a big thing. Councilman Serra asks when the last time this was changed. Mr. Thazhampallath responds he doesn't know when it was changed and it hasn't been changed on his watch. He did get an e-mail from the City Attorney's office and he did ask they look at the impact of it. Councilman Serra states we are on the Parking Committee and it did not come before us. Was the research done? Mr. Thazhampallath responds it did not come before Parking Advisory. Councilman Serra asks who he would ask. Mr. Thazhampallath responds the City Attorney's office. Councilman Serra states it would be a hardship. It should be obeyed what is the reason for raising it to \$250. Mr. Thazhampallath replies his feedback is it should be increased by \$25 or \$50 and then doubles after two weeks if not paid. You have to take into account the potential impact on the community. For what he has seen of current language they enforce on parking bans, the people impacted are in the north end with urban dwelling and tight dwelling and are economic disadvantaged.

Councilman Bibisi states you are saying this will cause a hardship on people who own cars. Mr. Thazhampallath responds it could. Councilman Bibisi states what is the hardship when they get three days to move the car and where does the responsibility lie. Mr. Thazhampallath replies there is a segment of the population that this would really impact and to pay \$250 that is a large amount. Councilman Bibisi states it places the responsibility on moving the cars and \$25 doesn't prevent that. Mr. Thazhampallath responds there should be some exemptions. Any storm and any parking ban the \$250 will be charged. Councilman Bibisi states you have responsibilities.

Councilwoman Kasper states Finance received an e-mail on the parking garage and there were four cars damaged in the last month.

Noted for the Record

Council Members Pessina and Faulkner take their seats at 6:13 p.m.

She asks if the area can be roped off so cars are not damaged. Mr. Thazhampallath responds they did have a structural assessment done; the initial assessment was done and we are contracting with the firm and have them take a closer look. The initial assessment, it is patch issues and the garage will not fall down. One car had to be totaled. There are pieces of concrete falling and staining from the concrete and it is a significant issue and regarding the garage; he is looking at a referendum for \$5 or \$6 million this fall that we would then put a shovel in the ground for a new garage with 8 – 12 months of construction.

Councilman Berch asks Geen if he had calls during any of the parking bans that people were not given access; if there is a parking ban, is there a place for them to park. Mr. Thazhampallath responds we open the parking lots. Councilman Berch asks did you receive calls that the lots were not accessible. He states the trouble with removing snow, it would be different if there was not alternate to off street parking and people have to take responsibility. Mr. Thazhampallath responds his point is it may create a significant hardship on a portion of the population. Councilman Berch states if anyone did not have accessibility, then he would be concerned. He believes the fine is justified and necessary.

Councilwoman Bartolotta asks for the City Attorney. She wants to discuss the ordinance with the fine. Can you shed light on increasing the fine? Attorney Smith responds he will try. The request was from the Mayor's Office and we had a major snow event. The cars not moved and left in the street, we plow and if we hit them, we have a responsibility. It is intended to deter. That is his involvement.

Councilwoman Kasper states she was looking back to the change of ordinances due to the consolidation and one of the things she found that in the Deputy City Attorney job description we are going to decide tonight requires four years of experience yet our ordinance says five; which one applies. She states Section 31-27, the job description year should have five years of law experience and the job description says four years. Which would be applicable. Attorney Smith responds if there is a conflict, the job description should read 5 not four. Councilwoman Kasper states there is another section 31-38 and with the changes before us now is that still in effect or is it saying every reference to the Personnel Department has changed. Attorney Smith replies we would have stricken Personnel Department and it would become Human Resources Division of the Office of General Counsel and it would change the title to the Director of Human Resources.

Councilman Serra states when this occurred, did you research municipalities. Attorney Smith responds no. Councilman Serra asks if he took into consideration, these cars are impounded and paying a towing fee and they don't get the car back until they pay the fee. Attorney Smith responds yes. Councilman Serra states it is \$330 for individuals to get their car back to go to work and no research was done. Attorney Smith states his office has not done research. His memory is that this is the max allowed by the State statute. Councilman Serra states if research was done, does the 250 get the cars off the road; if others had luck with this, he would consider it and there is no research of what other municipalities of our size do. Towing and impound would be \$330 and some can't afford it.

Councilman Faulkner asks about the department changes with Personnel and Legal; I wanted to know how does the public know where to find Personnel. He asks if Human Resources is in that Department; Attorney Smith responds yes; anything that had been Personnel is now Human Resources. Councilman Faulkner asks if the public will know where human resources will be.

Noted for the Record

Councilman Daley takes his seat at 6:24 p.m.

Attorney Smith states in the same way they would know of payroll and purchasing which is part of Finance and there are signs to direct people where to go. Councilman Faulkner states he is talking about the name. Attorney Smith states there are a human resources, risk management, and legal division. He states when he first got here the department title was Legal and Human Resources and he got here and googled it and what came up was the Office of General Counsel; it is the moniker they used and seemed more cohesive than a series of hyphens.

Councilman Klattenberg asks for the Director of Public Works. He asks on the agenda is the establishment of a committee to develop a master plan for Veterans Memorial Park. Are you familiar with this; will Public Works be the staff. Mr. William Russo responds he and Bob Dobmeier along with Tina Gomes will be staff and they will work with the Chief, Bill Warner and Debbie Stanley Acting Director of Parks and Recreation. They will oversee it; we would like all those people at the table when we meet. We can start bringing agencies in like the Military Museum and the Trees of Honor. Councilman Klattenberg states there is no reference made about the plan that was shown to the public and what about this, will it be different. Mr. Russo responds when everyone gets to the table, it will be tweaked. Overall this plan will be using that and maybe there will be ADA stuff that is not there and the Military Museum, and other ideas may come forward. Councilman Klattenberg states there will be some expense to this. Mr. Russo states Public Works put aside \$75,000 and the company will come up with a construction plan and then they will look at how to fund this. Councilman Klattenberg asks if the \$75,000 was put in the budget by the Council. Mr. Russo responds yes and we have \$300,000 from the State for the Museum. Councilman Klattenberg asks about the timing. I would hope for some indication of how long it will take. Mr. Russo replies they want to get to work right away. The road is the biggest part of the project and it is in the road bond, but we don't want to put in the road without a plan. Councilman Klattenberg asks how long it will take; do you have an estimate. Mr. Russo replies we are in the stages of doing a professional services

contract and he doesn't see why we can't get it together quickly. Once we get a cost, it will be how to fund it. Councilman Klattenberg asks if it can be done in six months. Mr. Russo thinks if they are aggressive, it can be.

Councilwoman Bartolotta asks what happened during the storm to want to raise the fine. Mr. Russo responds if we push snow and it gets into a car, we have claims. We are aggressive getting out the word on parking bans. NEAT has 600 people on the contact list. It is frustrating; we get out and see what is left on the street when there is a parking ban. He thinks they are more aggressive on towing than we are. Staff is out there. He tags the cars 12 hours in advanced with a warning about towing. In the north end, we face a lot of situations if cars are not towed. The goal is to get them off the road and not in front of Insurance and Claims. We are on the hook if we hit a car and there is a parking ban. Councilwoman Bartolotta states by increasing it, we are trying to educate them because the \$25 is not working. We do a lot of work getting the message out. In the north end, they have alternate side of the street parking and those are \$25 tickets and we need the road for those 6 or 10 hours.

Councilman Serra asks how Wesleyan is. Mr. Russo replies they are very good. Every student gets the message and no problems are out there.

Councilman Pessina states the Chamber of Commerce puts out snow ban announcements. He states a good idea may be that certain streets get affected by these cars and they should analyze where the tickets were given out and give that area more attention; they may not have the means to get the information. Mr. Russo states we have knocked on doors and asked neighbors to tell neighbors. Councilman Pessina asks on the resolution dealing with the Military Museum and Trees of Honor; how much input are you going to get from the public itself. I understand the reason for the committee; beyond that, I think you need to reach out to the public twice to get their input. It is the public coming down to use it. He would hope a couple of presentations and get a sense of feeling from the public.

Councilman Serra asks for the City Attorney. He asks the time frame for the consolidation of Departments; when is the 90 days. Attorney Smith states the Charter says not less than 30 and no later than 90 days and it would have to be done by May 5. Councilman Serra states we still have time to discuss this.

Councilwoman Bartolotta asks for Fire Chief Ouellette and Water and Sewer Director Guy Russo. She states Councilman Faulkner had a question on the docks and can you speak to that. She sits on the Harbor Improvement Agency and it has not been before us. Mr. Russo responds it is the transient docks and there were some portion of the project that were not used and were not part of payment from DEEP. The City has an obligation to purchase them and they were not used and in talking with the Chief there was a severe problem at the public safety docks. So it was a transfer of a project from Harbor Improvement and they did apply for reimbursement from DEEP and it is in character at Harbor Park. Chief Ouellette states the docks need to be repaired and extended and it is not conducive for the amount of boats that are there. The area where South District uses, the water gets down to a foot and they need a bigger dock to accommodate those boats and when Guy said they had materials we asked to use them to extend the dock. Councilwoman Bartolotta states the docks are not working and Mr. Russo said the material would be used from the prior project purchase. Mr. Russo adds they took ownership, but have not paid for them and that would be LoCIP. Public Safety has 20 feet of dock that was done with LoCIP and the cost was \$90,000 and from the cost perspective gives us twice the dock for less money. Councilwoman Bartolotta states should this go through Harbor review to see it is an appropriate action to take and solve the problem for the future. Mr. Russo states they have jurisdiction of other areas than the safety dock and he will bring that back for approval for the voting on the boating improvement and I don't think Harbor Improvement has jurisdiction on the public safety docks. Councilwoman Bartolotta states other items have come back for insight. Mr. Russo states the area was used for public safety and there is limited access and it is not inconsistent with the harbor plan. Councilwoman Bartolotta asks who came up with the new design. Mr. Russo responds they are standard platform docks and depths and the pilings should be amply long and we have to apply for a permit extension. Councilwoman Bartolotta asks if it would work for three boats. Mr. Russo responds they spoke to the person who did the transient docks and we should use him and get his opinion. Councilwoman Bartolotta states there was a new boat purchased and will this accommodate this boat. Mr. Russo states it should when and if it is ever used. Councilwoman Bartolotta states she is all for giving Public Safety what they need and wants to make sure the changes are good for now and the future. Fire Chief Ouellette states if they decide to use it, the new docks will accommodate that boat. It is based on linear footage.

The Acting Chair asks if there are further questions. Seeing none he closes the Questions to Directors.

Meeting Adjourns

Councilman Klattenberg moves to adjourn and his motion is seconded by Councilwoman Bartolotta. The vote is called and it is unanimous to approve. The Acting Chair declares the meeting adjourned at 6:38 p.m.

ATTEST:

MARIE O NORWOOD
Common Council Clerk